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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/683,978	10/10/2003	Ralph E. Deem JR.	10606	1845

36493 7590 08/11/2005

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EXAMINER

ZEC, FILIP

ART UNIT	PAPER NUMBER
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3744

DATE MAILED: 08/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

SP

Office Action Summary	Application No.	Applicant(s)	
	10/683,978	DEEM, RALPH E.	
	Examiner	Art Unit	
	Filip Zec	3744	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's arguments and the amendment filed on 5/23/2005, with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1, 2, 9 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the applicant claims "*a bottle support ring, said ring being sized and configured to rest over the upper rim of the bottled water dispenser leaving the opening uncovered*". Since the bottled water dispenser opening (18, FIG. 2) is covered by the shoulder (22, FIG. 2) of the water bottle (16, FIG. 1 and FIG. 2), it is not clear as to how the dispenser has an "uncovered opening".

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,901,880 to Clarke, in view of U.S. Patent 3,688,950 to Parish, U.S. Patent 5,368,197 to Sutera and U.S. Patent 6,179,168 to Desrosiers et al. Clarke discloses applicant's basic inventive concept, an adapter (38, col 2, lines 15-20) for drawing water (32, FIG. 1), having a water supply line (28 and 30) defining a feed portion (30) extending into a bottled water dispenser and a delivery portion (28) extending outside a bottled water dispenser, substantially as claimed with the exception of stating that the source of the water is a bottled water dispenser, having an upper rim surrounding an opening and comprising a bottle support ring (support means), said ring being sized and configured to rest over the upper rim of the bottled water dispenser, said water supply line passing transversely through said support ring, said supply line made of plastic tubing, said support ring providing a seal between a shoulder of the bottle and the upper rim of the dispenser and specifying that the adapter is strong enough to support the water tank. Sutera shows a bottled water dispenser (10, FIG. 1), having an upper rim (38, FIG. 2) surrounding an opening (32, FIG. 2) and a seal (40, FIG. 2) between a neck of the bottle (14, FIG. 2) and the upper rim (38, FIG. 2) of the dispenser and an adapter (218, FIG. 9) strong enough to support the water bottle (col 10, lines 23-25) to be old in the water dispensing art. Parish shows a bottled water dispenser (10, FIG. 2) comprising a bottle support ring (34, FIG. 3), said ring being sized and configured to rest over the upper rim (14, FIG. 3) of the bottled water dispenser and a water supply line (56), said line passing transversely through said support ring (see FIG. 3) and made out of plastic tubing (col 2, line 48) to be old in the water dispensing art. Desrosiers shows a water-dispensing fountain (10, FIG. 1), wherein a sealing contact is made between the shoulder

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of the water bottle (16, FIG. 2) and the upper rim of the dispenser (col 2, lines 15-20) to be old in the refrigerating art. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made from the teaching of Sutera, Desrosiers and Parish to modify the system of Clarke, by modifying an adapter for a water supply line in order to fit a differently set up water cooler without having to drill additional holes in the side of the lower part of the tank.

6. Claims 4-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,901,880 to Clarke, in view of U.S. Patent 3,688,950 to Parish, U.S. Patent 5,368,197 to Sutera, U.S. Patent 4,987,746 to Roberts and U.S. Patent 6,179,168 to Desrosiers et al. Clarke discloses applicant's basic inventive concept, an apparatus and method for providing bottled water to a refrigerator, comprising a water utilization accessory (20, 22, 24, 26, 50, FIG. 1) inside the refrigerator (80, abstract), said accessory having a water delivery system (10) with a water recharge line (28), an electrical control circuit (50) providing electrical output (62, 64) for a predetermined period of time in response to a detected (48) deficiency of water within said accessory or on demand (col 1, line 45) and a water pump (24), inside of the refrigerator (see FIG. 1), responsive to said electrical output of said control circuit (62, 64), an adapter (38, col 2, lines 15-20) for drawing water (32, FIG. 1), having a water supply line (28 and 30) defining a feed portion (30) extending into a bottled water dispenser and a delivery portion (28) extending outside a bottled water dispenser, said supply line made of plastic tubing (col 2, line 48), substantially as claimed with the exception of stating that the source of the water is a bottled water dispenser, having an upper rim surrounding an opening and comprising a bottle support ring (support means), said ring being sized and configured to rest over the upper rim of the

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bottled water dispenser, said water supply line passing transversely through said support ring, said support ring providing a seal between a shoulder of the bottle and the upper rim of the dispenser and said pump further having a hydraulic input and a hydraulic output, said hydraulic output being connected to said water recharge line, said water supply line extending between said reservoir of water and said hydraulic input of said water pump, a solenoid for controlling the pressurized water input, a pump bracket, said accessory is an ice maker or a water chiller and specifying that the adapter is strong enough to support the water tank . Sutura shows a bottled water dispenser (10, FIG. 1), having an upper rim (38, FIG. 2) surrounding an opening (32, FIG. 2) and a seal (40, FIG. 2) between a neck of the bottle (14, FIG. 2) and the upper rim (38, FIG. 2) of the dispenser and an adapter (218, FIG. 9) strong enough to support the water bottle (col 10, lines 23-25) to be old in the water dispensing art. Parish shows a bottled water dispenser (10, FIG. 2) comprising a bottle support ring (34, FIG. 3), said ring being sized and configured to rest over the upper rim (14, FIG. 3) of the bottled water dispenser and a water supply line (56), said line passing transversely through said support ring (see FIG. 3), to be old in the water dispensing art. Desrosiers shows a water-dispensing fountain (10, FIG. 1), wherein a sealing contact is made between the shoulder of the water bottle (16, FIG. 2) and the upper rim of the dispenser (col 2, lines 15-20) to be old in the refrigerating art. Roberts shows a pump (180, FIG. 7) with a pump bracket (33 and 37, FIG. 3) having a hydraulic input (16) and a hydraulic output (156), said hydraulic output being connected to said water recharge line (at check valve 18), a solenoid (154) for controlling a pressurized water input and an accessory to receiving said bottled water to be an ice maker or a water chiller (abstract) to be old in the refrigeration art. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made from

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the teaching of Sutera, Parish, Desrosiers and Roberts to modify the system of Clarke, by modifying an adapter for a water supply line in order to fit a differently set up water cooler without having to drill additional holes in the side of the lower part of the tank and by adding controlled pressure to the already purified water supply to provide pressurized water as the end product for the user.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

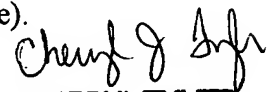
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Filip Zec whose telephone number is (571) 272-4815. The examiner can normally be reached on Monday through Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cheryl Tyler can be reached on 571-272-4834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Filip Zec
Examiner
Art Unit 3744



CHERYL TYLER
SUPERVISORY PATENT EXAMINER

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